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6

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 SAN FRANCISCO DIVISION

10 UNITED STATES OF AMERICA, ) No. CR 13-0589 EMC  
11 Plaintiff, )  
12 v. )  
13 MARVIN SOLIS, )  
14 Defendant. )  
15 \_\_\_\_\_)

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE STATUS  
HEARING AND FOR EXCLUDING  
TIME UNDER 18 U.S.C. § 3161**

16  
17 The parties in this case agree and jointly request the Court to move the next status  
18 conference in the above captioned case to January 29, 2014 at 1:30 p.m. for a change of plea.  
19 The purpose of the requested continuance is due to a need for continuity of counsel and effective  
20 representation of counsel, as defense counsel needs additional time to review discovery and the  
21 plea agreement with Mr. Solis.

22 The parties also submit and agree that an exclusion of time under the Speedy Trial Act is  
23 needed for the entire period of time between today, December 18, 2013 and January 29, 2014, as  
24 defense counsel is also continuing to review the discovery regarding the appropriate loss amount  
25 in the case in order to counsel Mr. Solis about the plea agreement with the government.

26 The parties agree that the ends of justice served by granting such an exclusion of time for  
27 the purposes of effective preparation of counsel and continuity of counsel outweigh the best  
28 interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. §§ 3161(h)(7)(A) and

STIPULATION & [PROPOSED] ORDER EXCLUDING TIME  
CR 13-589 EMC

1 (B)(iv). Because the case is still under seal, the parties also jointly move to unseal the case at  
2 this time, as there is no need for it to remain under seal any longer.

3 For the reasons stated above, the parties stipulate to continue the change of plea hearing to  
4 January 29, 2014 at 1:30 p.m.

5 SO STIPULATED:

6 MELINDA HAAG  
United States Attorney  
7

8 DATED: January 24, 2014

/s/  
9 KATHERINE DOWLING  
Assistant United States Attorney

10 DATED: January 24, 2014

/s/  
11 ELIZABETH FALK  
Attorney for Defendant Marvin Solis  
12

13 [PROPOSED] ORDER

14 For the reasons stated above the Court hereby CONTINUES the status conference  
15 hearing in the aforementioned case from January 22, 2014 to January 29, 2014 at 1:30 p.m. The  
16 Court further finds that the exclusion from the time limits of this period applicable under 18  
17 U.S.C. § 3161 is warranted and that the ends of justice served by the continuance outweigh the  
18 best interests of the public and the defendant in a speedy trial. Denying the requested exclusion  
19 of time would deprive the defendant effective preparation of counsel and continuity of counsel,  
20 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

21 The Court also further orders that this case be unsealed at this time.

22 IT IS SO ORDERED.

23  
24 DATED: \_\_\_\_\_  
1/27/14

25  
26  
27  
28 THE HONORABLE EDWARD M. CHEN  
United States District Judge  
